

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department – Telangana State - Bhadradri Kothagudem District – Issue of Local ST Agency Area Certificates under G.O.Ms.No.24, dated 12.6.2018 of TW (LTR.1) Department – Cancellation of Local ST Agency Area Certificate by the Collector & District Magistrate, Bhadradri Kothagudem vide Rc.No.D3/1093/2021, dated:24.04.2021 – Appeal filed by Banoth Bhaskar, S/o.Ramdas, R/o:D.No.4-148, Shantinagar Village, H/o.Mutyalampad “X” Road (G.P.), Sulanagar, Tekulapally Mandal, Bhadradri Kothagudem District - Appeal Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No.12

Dated:28.02.2022

Read the following:-

1. G.O.Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Rc.No.D3/1093/2021, dated: 24.04.2021 of the Collector & District Magistrate, Bhadradri Kothagudem District.
3. Appeal petition filed by Banoth Bhaskar, S/o Ramdas, R/o D.No.4-148, Shantinagar Village, H/o. Mutyalampad “X” Road (G.P.), Sulanagar, Tekulapally Mandal, Bhadradri Kothagudem District dated. 21.5.2021 received through the Endated.No. 1862/M/(STW, W&CW), dated: 30.05.2021.
4. Govt. Memo No. 683/TW.LTR/2021, dated 20.07.2021.
5. Lr.Rc.No.A1/DD(TW)/342/2021, dated 06.08.2021 received from PO,ITDA, Bhadrachalam and Chairman DLSC.
6. Govt. Notice No. 683/TW.LTR/2021, dated 23.08.2021.

ORDER:

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1st read above, the Collector & District Magistrate, Bhadradri Kothagudem District in his orders in the reference 2nd read above, has rejecting the claim of Banoth Bhaskar S/o Ramdas R/o: D.No.4-148, Shanthinagar, Sulanagar village (now Mutyalampad “X” Road (G.P.), Tekulapally Mandal, Bhadradri Kothagudem District cancelling his Local ST Agency Area Certificate bearing No.D/267/2018, dated 13.07.2018 issued by the Tahsildar, Tekulapally Mandali – summary of which is as follows:

- District Educational Officer, Khammam vide his Lr.Rc.No.3230/A5/TRT-17/2017, dated 14.11.2019 has communicated the list of (41) candidates (with note orders of the District Collector, Khammam) who are provisionally selected as TRT SGT (EM) and requested the Project Officer, ITDA, Bhadrachalam to verify the LSTs as per G.O.Ms.No.24, dated 12.6.2018.
- In the Lr.Rc.No.A1/DD(TW)/1704/2019, dated.04.03.2021, the Project Officer, ITDA Bhadrachalam and Chairman DLSC has reported that Agency Area Certificates have been verified by the Committee (DLSC) in the light of G.O.Ms.No.24, dated 12.6.2018.

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- Out of (41) candidates, (37) candidates LSTs have been accepted and (4) candidates have been rejected, of which (3) candidates belong to Bhadradi Kothagudem District.
- DLSC verified LST file of applicant and found that he has submitted different type of documents for obtaining LST which are found tampered and obtained the LST by misguiding the authorities. Hence, DLSC not recommended.
- Hence, cancelled the ST Local Agency Certificate issued in favour of the Appellant.

3. Aggrieved by the above orders of the Collector & District Magistrate, Bhadradi Kothagudem District, the Appellant Banoth Bhaskar S/o Ramdas has submitted a representation dated 20.05.2021 in the reference 3rd read above praying for re-verification.

4. Government after careful examination has admitted the said representation as an Appeal under G.O.Ms.No.24, dated 12.6.2018 of TW (LTR.1) Department and copy of the appeal was sent to the Collector & District Magistrate, Bhadradi Kothagudem with a request to submit the connected record along with para-wise remarks in the reference 4th read above.

5. In compliance, in the reference 5th read above, the Project Officer, ITDA, Bhadrachalam & Chairman DLSC has submitted the connected documents of the case along with remarks.

6. In the reference 6th read above, a Notice has been issued to the Appellant to attend for hearing on 28.08.2021 at 2.00 PM before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant Banoth Bhaskar S/o Ramdas has attended for hearing on 28.08.2021 and submitted certain documents in support of her claim that he belongs to the Local ST category of Agency Area in Bhadradi Kothagudem District (erstwhile Khammam District).

7. On perusal of the record sent by Project Officer, ITDA Bhadrachalam/ Deputy Director(TW), Bhadrachalam through email on 16.8.2021 and also the documents submitted/produced by the Appellant before the Government it is found that the District Collector, Bhadradi Kothagudem has cancelled the Local ST Certificate of the Appellant on the ground that the Appellant has produced documents which are tampered and obtained the LST by misguiding the authorities.

8. The following documents which are produced by the appellant before the DLSC and Government are examined:

- i) Copy of Agency Area Certificate bearing Rc.No.D/267/2018, dated.13.07.2018 issued by the Tahsildar, Tekulapally Mandal, Bhadradi Kothagudem District wherein it was certified that the Appellant Banoth Bhaskar S/o Ramdas belongs to ST Lambadis community and residing at Shanthinagar H/o Sulanagar village in Tekulapally Mandal of Bhadradi Kothagudem District which falls within Scheduled Area.

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- ii) Copy of Agency Area Local Scheduled Tribe Certificate bearing Rc.No.D/1426/2020, dated 25.11.2020, wherein the Tahsildar, Singareni Mandal, Khammam District has certified that Banoth Bhaskar S/o Ramdas belongs to Lambada - ST community and that himself/his parents/grand parents have been continuously residing at R/o Giddavarigudem H/o Komatlagudem village of Singareni Mandal of Khammam District since 26.1.1950 to 1960, which is a notified scheduled village as per Presidential Order, 1950.
- iii) Copy of Certificate bearing Rc.No.C/109/2020, dated 30.01.2020 issued by the Tahsildar, Singareni Mandal of Khammam District that the name of Sri Banoth Lalsingh S/o Kali has been recorded in Teensal pahani for holding land to an extent of acs.0.21 gts in Sy.No.421 of Komatlagudem Revenue village.
- iv) Copy of pahani for 1965-66 – Sulanagar village, Tekulapally Mandal – shows name of Banoth Gopa for an extent of acs.2.00.
- v) Copy of pahani for 1983-84 – Sulanagar village, Tekulapally Mandal – shows name of Banoth Gopa S/o Ramdas for an extent of acs.0.20 gts in Sy.No.782.
- vi) Copy of Admission Register of Primary School, Ramsinghthanda under ZPSS Sulanagar, Tekulapally Mandal – shows name of Banoth Ramdas S/o Gopal at Sl.No. and Adm.No.39.
- vii) Copy of Aadhar Card bearing No.5145 8889 1803 of Banoth Ramdas (Date of birth 01.01.1945), address: H.No.4-149, Koyagudem, Shanthinagar, Tekulapally Mandal, Khammam District.
- viii) Voter list, 1977 of 282 Yellandu (ST) Assembly Constituency – shows name of Banoth Gopa S/o Lalsingh at Sl.No.415 of Part No.21 under village: Bethampudi.
- ix) Copy of letter Rc.No.D-396/2020, dated.01.12.2020 of Tahsildar, Tekulapally Mandal addressed to the Project Officer, ITDA Bhadrachalam – wherein it was reported that as per enquiry conducted by the Girdawar-I, the candidate's father and grandfather migrated from Singareni Mandal of Khammam District in 1960 and LST has been issued by the Tahsildar, Singareni, from then they are residing here in Tekulapalli Mandal.
- x) Resolution of Gram Panchayat, Mutyalampad "X" Road dated 21.8.2021, Tekulapally Mandal of Bhadrachalam District – wherein it was declared that the ancestors of Banoth Bhaskar S/o Ramdas R/o Santhinagar, Mutyalampad "X" Road, Tekulapally Mandal lived from 1950 to 1960 in Giddavarigudem village of Komatlagudem Revenue village in Singareni Mandal and migrated to Santhinagar village in the year 1960 where they have land of 2.00 acres in Sy.No.782. The pedigree of family is mentioned as follows:

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Sri Banoth Kaliya (senior great grandfather) and he has two sons namely 1) Lalsingh (great grandfather) and 2) Bhavsingh. Sri Lalsingh has two sons namely 1) Gopal (grandfather) and 2) Ramu. Sri Gopa has three sons namely 1) Ramdas (father of appellant) 2) Mangya and 3) Bhangya). Sri Ramdas has two sons namely 1) Bhaskar (appellant herein) and 2) Valya.

- xi) Resolution of Gram Panchayat, Venktyathanda, Singareni Mandal of Khammam District, dated 30.8.2021- wherein it was declared basing on the statements of village elders that the ancestors of Banoth Bhaskar lived in Venkatyathanda (Giddavarigudem old Gram Panchayat) under Komatlagudem Revenue village of Singareni Mandal from 1950 to 1960.

9. Government after careful examination of the evidences available on record and facts mentioned in the report of the Tahsildar, Tekulapally Mandal in letter dated 01.12.2020, Gram Panchayat resolutions of Mutyalampad "X" Road, Tekulapally Mandal of Bhadradri Kothagudem District and Gram Panchayat Venkatyathanda of Singareni Mandal of Khammam District, it is believed that the Appellant Sri Banoth Bhaskar S/o Ramdas R/o. Santhinagar village of Tekulapally Mandal is a local ST of the Agency area of Bhadradri Kothagudem District.

10. Therefore, the Appeal filed by Sri Banoth Bhaskar S/o Ramdas R/o. Santhinagar, Sulanagar village (now Mutyalampad "X" Road (G.P.)), of Tekulapally Mandal, Bhadradri Kothagudem District is allowed, setting aside orders of the Collector & District Magistrate, Bhadradri Kothagudem in Procs.Rc.No.D3/1093/2021, dated 24.04.2021 and declared that the Local ST Agency Area Certificate bearing No.D/267/2018, dated 13.07.2018 issued by the Tahsildar, Tekulapally Mandal is valid.

11. The Collector and District Magistrate, Bhadradri Kothagudem District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT

To
The Collector and District Magistrate, Bhadradri Kothagudem District
(By RPAD)

Banoth Bhaskar, S/o Ramdas, R/o: D.No.4-148, Shantinagar,
H/o Mutyalampad "X" Road (G.P.), Sulanagar (Post),
Tekulapally Mandal, Bhadradri Kothagudem District (By RPAD)

Copy to:

The Secretary, Telangana State Public Service Commission,
Hyderabad (for information & necessary action)

The Commissioner & Director of School Education, Hyderabad
(for information & necessary action)

The Project Officer, ITDA & Bhadrachalam, Bhadradri Kothagudem
District (for information & necessary action)

The District Educational Officer, Khammam District
(for information & necessary action)

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The District Educational Officer, Bhadradi Kothagudem District
(for information & necessary action)

The Deputy Director (TW), Bhadrachalam, Bhadradi Kothagudem
District.

The PS to Hon'ble Minister for ST Welfare for information.

The PS to Secretary (TW)

The PS to Special Secretary (TW)
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER